

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3329

IN THE MATTER OF:

Served May 5, 1989

Application of ATE MANAGEMENT AND )  
SERVICE COMPANY, INC., for a )  
Certificate of Public Convenience )  
and Necessity -- Charter Operations)

Case No. AP-89-16

By application filed April 4, 1989, and subsequently amended, ATE Management and Service Company, Inc. (ATE or applicant), a Delaware corporation, seeks authority to transport passengers in charter operations between points in Montgomery County, MD, pursuant to a contract with the Montgomery County, MD, Department of Transportation, Division of Transit Services (the County).

The contract, with its amendment, identifies the proposed routes and hours of operation as follows:

<u>Route</u>	<u>Description</u>	<u>Proposed Service</u>
23	Sibley Hospital-Friendship Heights Station	Midday-Weekday
30	Medical Center Station-Bethesda Station	Midday-Weekday
31	Glen Echo-Bethesda Station	Midday-Weekday
32	Cabin John-Bethesda Station	Midday-Weekday
34	Bethesda CBD Loop	Midday-Weekday
36	Bradley Boulevard-Bethesda Station	Midday-Weekday and Saturday
37	Potomac-Grosvenor Station	Rush Hour-Weekday
44	Rockville Station-Twinbrook Station	Rush Hour-Weekday
45	Rockshire-Twinbrook Station	All Day-Weekday
52	Shady Grove Station-Olney-Rockville	Rush Hour-Weekday
53	Shady Grove Station-Olney-Rockville	Rush Hour-Weekday
56	Lakeforest-Rockville Station	All Day Saturday
58	Lakeforest-Shady Grove Station	All Day Saturday
61	Germantown-Shady Grove Station	All Day Saturday
64	Montgomery Village-Shady Grove Station	All Day Saturday
68	MARC Station-Waters Landing	Rush Hour-Weekday
69	MARC Station-Gunners Lake	Rush Hour-Weekday
70	MARC Station-Clopper Mateney-Cinnamon Woods-MARC Station	Rush Hour-Weekday

The application, which is available for public viewing at the Commission's offices during its regular business hours, contains detailed schedules for, and descriptions of, each route. The contract requires applicant to provide fourteen 21-passenger vehicles, two of which are designated as back-up vehicles. The term of the contract is

two years from the contract date with the possibility of extension for two additional one-year periods. The contract provides for adjustments in the number of vehicles required and for other changes in service, including addition and deletion of routes. By Order No. 3324, served May 1, 1989, applicant was conditionally granted temporary authority to perform transportation identical to the above-described operations.

The contract limits compensation to \$1,300,000 for each of the first two years. Individual fares will be established by the County and collected by ATE. Applicant's balance sheet as of December 31, 1988, shows current assets of \$10,966,803, fixed assets after allowance for depreciation of \$8,489,380, and other assets of 10,303,183. Current liabilities of \$4,814,429, long-term liabilities of \$10,227,576, and equity of \$14,717,361 are also listed. For the first seven months of contract operations, applicant expects to generate income of \$769,194 and incur operating expenses of \$653,284. After allowances are made for depreciation, taxes, and licenses, applicant expects to recognize \$12,518 from its first seven months of WMATC operations.

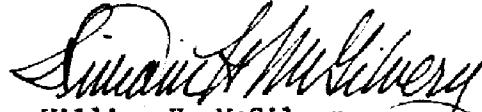
Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if applicant is fit, willing, and able to perform properly the proposed service and to abide by pertinent regulatory requirements, and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-16 is hereby scheduled to commence Thursday, June 15, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.
2. That ATE Management and Service Company, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District and post continuously and conspicuously in each of its vehicles through the date of public hearing, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Friday, May 19, 1989, and present at hearing affidavits publication and posting.
3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, June 5, 1989, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Dennis Dean Kirk, Esquire, 1331 Pennsylvania Avenue, N.W., Suite 1213, National Place, Washington, DC 20004.

4. That ATE Management and Service Company, Inc., is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact and is directed to deliver said amount to the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, June 5, 1989.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director